



The Commonwealth of Massachusetts  
House of Representatives  
State House, Boston 02133-1054

April 1, 2015

Dr. Stuart Altman, Chair  
Massachusetts Health Policy Commission  
50 Milk Street, 8th Floor  
Boston, MA 02109

Re: ICU Patient Limit Law Regulations

Dear Chairman Altman:

As the Health Policy Commission looks to promulgate regulations governing the implementation of Chapter 155 of the Acts of 2014, *An Act relative to patient limits in all hospital intensive care units* (MGL c. 111, sec. 231), I write to express my concern that the regulations are not consistent with what the legislature intended to accomplish in passing the bill.

I believe the proposed regulation departs from our intention to set a presumptive 1:1 nurse to patient ratio in an Intensive Care Unit (ICU) setting with the ability to move to a two patient to one nurse assignment ratio based on the stability of the patients as assessed by the direct care nurses in the ICU with the assistance of an acuity tool. The acuity tool was intended to supplement, not replace, the clinical judgment of the staff nurses who would also be involved in both the development and approval of the acuity tool.

Also, please note that no exemptions were included in the law.

This legislation was the result of a great deal of input from many stakeholders and was approved unanimously. I am confident you will take care to ensure the proposed regulation is carefully drafted to reflect the results of that long deliberative process. Thank you for the opportunity to provide comments, and please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul A. Brodeur", written over a light blue grid background.

Paul A. Brodeur  
State Representative  
32<sup>nd</sup> Middlesex District